

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

KELLY LEWIS,

Plaintiff,

v.

SAINT LOUIS COUNTY,  
MISSOURI, et al.,

Defendant.

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Case No.: 4:19-cv-02917 SRC

**MEDICAL AFFIDAVIT CONCERNING**  
**THIRD PARTY DEFENDANT DEFENDANT NEAL M. MANGALAT, M.D**

COMES NOW, Gregory D. DeBeer, Counsel for Defendants / Third Party Plaintiff Gail Murphy, and states pursuant to Missouri Revised Statutes §538.225 as follows:

1. The affiant is a duly licensed attorney in the State of Missouri and has been retained to represent Defendants / Third Party Plaintiff Gail Murphy in the above styled matter.

2. That the affiant has obtained a written opinion from a medical physician that Third Party Defendant Neal M. Mangalat, M.D. failed to use such care while treating decedent on or about February 23, 2019, that a reasonably prudent and careful health care provider would have under similar circumstances and that such failure to use such reasonable care directly caused or directly contributed to cause the damages claimed in the First Amended Complaint.

3. That the aforesaid consulting health care provider is Steven M. Bird, M.D., an emergency physician licensed to practice medicine in Massachusetts. Dr. Bird is actively practicing substantially the same specialty as Third Party Defendant. Dr. Bird's address is:

Department of Emergency Medicine  
University of Massachusetts Medical School  
55 Lake Avenue North – LA-167  
Worcester, MA 01655

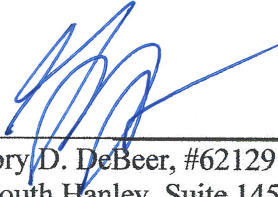
See attached curriculum vitae, incorporated herein.

4. Additionally, Plaintiff's retained expert Greg Skipper, M.D. stated in his previously produced report that "[i]t is my opinion that to a reasonable degree of medical certainty that St. Mary's Hospital and staff were negligent in failing to appropriately care for Mr. Shy. The failure of the medical team to take timely and appropriate action, was a direct cause of his death."

Emergency Room and its staff. See Dr. Skipper's Report and curriculum vitae.

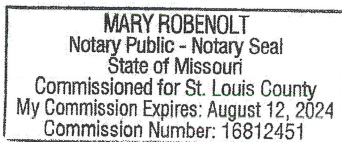
Respectfully submitted,

WIEDNER & McAULIFFE, LTD.



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(314) 725-5755 – fax  
gddebeer@wmlaw.com

Subscribed and sworn to before this 3rd day of February, 2021.



### CERTIFICATE OF SERVICE

The undersigned certifies that on February 3, 2021, a copy of the foregoing was served on all parties electronically via this Court's Electronic Filing System.

/s/ Gregory D. DeBeer